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*Attorneys for Defendant Facebook, Inc. and
Non-Prioritized Defendants Mark Zuckerberg
and Sheryl Sandberg*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

CASE NO. 3:18-MD-02843-VC

**SUPPLEMENTAL DECLARATION OF
MICHAEL DUFFEY IN SUPPORT OF
DEFENDANT FACEBOOK, INC.'S
MOTION TO DISMISS PLAINTIFFS'
CONSOLIDATED COMPLAINT**

Judge: Hon. Vince Chhabria
Courtroom 4, 17th Floor
Hearing Date: January 23, 2018
Hearing Time: 10:30 a.m.

I, Michael Duffey, declare as follows:

1. I am an employee of Defendant Facebook, Inc., and have responsibilities for eDiscovery and litigation support. On November 2, 2018, I submitted a declaration in support of Facebook's Motion to Dismiss Plaintiffs' Consolidated Complaint, and I offer this supplemental declaration in further support of that motion. I have personal knowledge of the facts set forth in this declaration (unless otherwise noted), and, if called to testify, I could and would competently testify to them.

2. As I stated previously, as part of my job responsibilities, I am aware of the manner in which Facebook stores archived versions of user policies that were, at one time, posted onto Facebook's public website. Among the policies that Facebook keeps in archived form are copies of its Terms of Use/Statements of Rights and Responsibilities ("SRR")/Terms of Service and its Privacy Policy/Data Use Policy/Data Policy.

3. Facebook's policy archive reflects major revisions to the relevant policies. Those revisions reflect the date that each particular major revision took effect. Exhibits 1-49 of my November 2, 2018 declaration were downloaded from that archive of major revisions to the relevant policies. Between major policy versions, Facebook makes minor revisions to those policies from time to time. Facebook preserves these interim versions of policies as well.

4. I understand that Plaintiffs have referred the Court to versions of Facebook's policies downloaded from archive.org. Documents captured from archive.org may reflect these interim versions of policies published between major revisions to the relevant policies.

I declare under penalty of perjury pursuant to the laws of the United States of America and the State of California that the foregoing is true and correct. Executed at Menlo Park, CA, on this 21st day of December, 2018.

By: 
Michael Duffey